IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1658 OF 2004
IN
WRIT PETITION NO.3979 OF 1998

Office Notes, Office Memoranda of Coram, appearances, Court's Order or Directions and Registrar's Orders	Court's or Judge's Orders

Ms.Saumya Srikrishna i/b Kanga & Co. for Applicants
Mr.R.R. Rawell for Petitioner
Mr.C.S. Balsara i/b Ashwin Ankad & Associates for Respondent No.2

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **SEPTEMBER 13, 2005**

P.C.:

. This Civil Application has been taken out by the applicants who claim to be the owners of the suit premises. The premises were originally owned by the Petitioner-Trust i.e., B.N. Gamadia Hunnershala Trust. It appears that the applicants have purchased the suit premises by a Deed of Conveyance dated 28.1.2003. The Charity Commissioner has sanctioned this sale. A Writ Petition was filed before the

Division Bench of this Court challenging the order of the Charity Commissioner. The Division Bench has found that the suit premises were not under valued. The Court also found that there was delay in filing the writ petition and it has been dismissed. In these circumstances, it is submitted on behalf of the applicants that the applicants be brought on record as Petitioners in the Petition and such other proceedings and the names of the original petitioners i.e., N.J. Gamadia & Others, be deleted.

2. Heard advocates.

3. In view of the contentions raised in the Civil Application, the Civil Application is allowed in terms of prayer clause (a), (b) and (c).

4. The amendments be carried out within four weeks from today.